

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 27, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ANDRE H.,

Plaintiff,

vs.

KILOLO KIJAKAZI, Acting
Commissioner of Social Security,

Defendant.

No. 1:21-cv-03152-JAG

ORDER

Before the court is the parties' Stipulated Motion to Remand. ECF No. 14.
After considering the file and proposed order, it is hereby **ORDERED**:

1. The parties Stipulated Motion to Remand, **ECF No. 14**, is
GRANTED.

2. Based on the stipulation of the parties, the above-captioned case is
REVERSED and **REMANDED** for further administrative proceedings pursuant
to sentence four of 42 U.S.C. § 405(g). Upon remand, the Appeals Council shall
instruct the administrative law judge to:

- a) Re-evaluate the claimant's residual functional capacity and the
opinion evidence;
- b) If warranted, obtain evidence from a vocational expert to assist
in determining whether there are jobs that exist in significant

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1 numbers in the national economy the claimant can perform
2 despite his impairments, resolving any conflicts between the
3 expert's testimony and the *Dictionary of Occupational Titles*;

- 4 c) Take any action necessary to complete the administrative
5 record;
6 d) Offer the claimant an opportunity for a hearing; and
7 e) Issue a new decision.

8 3. All other pending motions are **DENIED AS MOOT**.

9 4. Judgment shall be entered for **Plaintiff**.

10 5. Upon proper consideration, the Court will consider Plaintiff's
11 application for reasonable attorney's fees and costs pursuant to the Equal Access to
12 Justice Act, 28 U.S.C. § 2412(d).

13 The District Court Executive is directed to enter this Order, enter judgment
14 in favor of the Plaintiff, provide copies of the Order and Judgment to counsel, and
15 **CLOSE THIS FILE.**

16 DATED July 27, 2022.



A handwritten signature in blue ink, reading "James A. Goetze", is written over a horizontal line.

JAMES A. GOETKE
UNITED STATES MAGISTRATE JUDGE